

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Toshihiro TANAKA et al.

Group Art Unit : 1634

Appln. No. : 10/523,723

I.A. Filed : February 7, 2005

Examiner : Katherine D SALMON

For : METHOD OF JUDGING INFLAMMATORY DISEASE

SUPPLEMENTAL RESPONSE TO OFFICE ACTION

Commissioner for Patents
U.S. Patent and Trademark Office
Customer Service Window, Mail Stop AMENDMENT
Randolph Building
401 Dulany Street
Alexandria, VA 22314

Further to the Amendment Under 37 C.F.R. 1.111 filed July 2, 2008, Applicants are submitting herewith an executed Declaration Under 37 C.F.R. 1.132 for consideration by the Examiner along with the previously submitted arguments. Applicants previously submitted an unexecuted Declaration Under 37 C.F.R. 1.132

Applicants submit that the previously filed Amendment is a complete response to the Office Action mailed from the U.S. Patent and Trademark Office on January 2, 2008, and the 35 U.S.C. 102(a) rejection should be withdrawn for the reasons set forth therein.

In further support for withdrawal of the 35 U.S.C. 102(a) rejection, Applicants are submitting herewith an executed Declaration Under 37 C.F.R. 1.132 of Toshihiro Tanaka and Koichi Ozaki to replace to the previously submitted unexecuted Declaration Under 37 C.F.R. 1.132. This Declaration relates to authorship of the prior art reference "Functional SNPs in the lymphotoxin- α gene that are associated with susceptibility to myocardial infarction" published in the December 2002 issue of Nature Genetics (Vol. 32 p. 650).